

Message Text

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PAGE 01 STATE 177485
ORIGIN SCS-06

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FM SECSTATE WASHDC

TO AMEMBASSY KATHMANDU

UNCLAS STATE 177485

E.O. 11652: N/A

TAGS: CGEN: (KUMARI, LALITA)

SUBJECT: JUDICIAL ASSISTANCE: VALIDITY OF ADOPTION
DECREE FOR PURPOSES OF EXPEDITIOUS
NATURALIZATION

1. A MR. JAY FRIEDMAN OF WORLD HEALTH ORGANIZATION WHO
WAS POSTED IN NEPAL HAS RECENTLY BEEN POSTED WITH WHO TO
PHILIPPINES. HE IS NOW ON HOME LEAVE IN U.S.

2. WHILE MR. FRIEDMAN WAS IN NEPAL HE "ADOPTED" A LALITA
KUMARI WHO WAS PREVIOUSLY AN ORPHAN THROUGH NEPAL
CHILDREN'S ORGANIZATION. MR. FRIEDMAN DESIRES WHILE ON
HOME LEAVE TO OBTAIN EXPEDITIOUS NATURALIZATION OF
LALITA PURSUANT TO SECTION 323 (C) INA.

3. INS NATURALIZATION EXAMINER HAS QUESTIONED WHETHER THE
DOCUMENTS SUBMITTED BY MR. FRIEDMAN CONSTITUTE A FULL
ADOPTION OR WHETHER THEY ATTEST TO SOMETHING LESS, E.G.
GUARDIANSHIP, PERMISSION TO ADOPT. THE ADOPTION WAS
EFFECTED PURSUANT TO SECTION 12 (A) OF THE LAWS OF THE
REALM OF NEPAL PERTAINING TO ADOPTION. THE "FINAL
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ADOPTION DECREE" CONTAINS THE FOLLOWING PROVISIONS
WHICH HAVE RAISED DOUBTS BY INS OFFICER: QUOTE: ...FIRST
PARTY SHALL ARRANGE RETURN OF ADOPTED CHILD IF ADOPTED

CHILD AFTER ATTAINING MATURITY WANTS TO RETURN TO HER
COUNTRY. UNQUOTE. QUOTE: ... FIRST PARTY SHALL NOT
HAVE RIGHT TO TRANSFER THE ADOPTED DAUGHTER TO ANY

THIRD PARTY AND SHALL NOT HAVE RIGHT TO CHANGE RELIGION
AND NAME OF ADOPTED CHILD. UNQUOTE. QUOTE: ...ON BASIS
OF LETTER OF CONSENT APPLICATION FORM AND CONTRACT
BETWEEN PARTIES, IT IS HEREBY PERMITTED TO ADOPT THE
CHILD.UNQUOTE.

4. ACTION REQUESTED: WHAT DOES SECTION 12 (A) OF NEPAL
ADOPTION LAWS STATE? ARE THE STATEMENTS TAKEN FROM
ADOPTION DECREE CUSTOMARY IN A FULL ADOPTION? DOES
EMBASSY (PARTICULARLY MR. EASTHAM) RECOLLECT THIS
PARTICULAR CASE. CHRISTOPHER

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Decaption Date: 01 jan 1960
Decaption Note:
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Disposition Approved on Date:
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Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
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